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PTO/SB/21 (09-04)  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number	10/039,799
Filing Date	January 4, 2002
First Named Inventor	Pitner et al.
Art Unit	1654
Examiner Name	Teller, Roy R.
Attorney Docket Number	P-5504

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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Remarks  
PTO/SB08A and PTO/SB08B

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BECTON, DICKINSON AND COMPANY		
Signature			
Printed name	J. Timothy Meigs		
Date	Aug 5, 2005	Reg. No.	38,241

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	J. Timothy Meigs	Date	Aug 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

App. No.:	10/039,799	Confirmation No.	9195
Applicant(s):	Pitner et al.		
Filed:	January 4, 2002		
Title:	BINDING PROTEIN AS BIOSENSORS		
Art Unit:	1654		
Examiner:	TELLER, ROY R.		
Docket No.:	P-5504		

**Mail Stop: Amendment**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 and 1.98, Applicants submit this Supplementary Information Disclosure Statement to bring to the attention of the Examiner, for consideration in connection with the above-referenced patent application, certain documents cited in European Patent Application No. EP 03 70 0679, which is a foreign counterpart of the above-referenced patent application.

Applicants respectfully request that this Supplementary Information Disclosure Statement be entered and the references listed on the attached form PTO/SB/08A be considered by the Examiner and made of record. Copies of the listed references are included. Pursuant to the provisions of MPEP § 609, Applicants request that a copy of the PTO/SB/08A form be initialed as being considered by the Examiner and returned to Applicants with the next official communication.

This submission should not be construed as an admission that the references cited herein are relevant or material to patentability or constitute "prior art" to the subject patent application.

This Supplemental Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(c) before the mailing of a Final Action.

Applicants respectfully submit that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Therefore, Applicants' believe that no fee is required. However, in the event a fee is required, the Commissioner is hereby authorized to charge Applicants' Deposit Account No. 02-1666.

Any questions concerning this application or submission may be directed to Applicants' undersigned attorney at the below-listed telephone number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Timothy Meigs", is written over the typed name and title.

J. Timothy Meigs  
Attorney for Applicant(s)  
Reg. No. 38,241  
(919) 597-6276

August 5, 2005

**AUG 08 2005**

PTO/SB/08A (07-05)

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/039,799
Filing Date	January 4, 2002
First Named Inventor	Pitner et al.
Art Unit	1654
Examiner Name	Teller, Roy R.
Attorney Docket Number	P-5504

Sheet	1	of	2
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## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

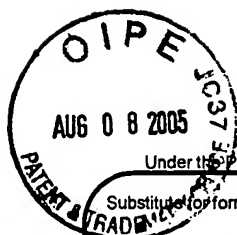
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>2</sup> *Number <sup>4</sup> *Kind Code <sup>3</sup> (if known)	MM-DD-YYYY			
		WO 99/34212	07-08-1999	Duke University		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (07-05)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

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Art Unit	1654
Examiner Name	Teller, Roy R.
Attorney Docket Number	P-5504

Sheet	2	of	Z
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		SOTA et al., Detection of Conformational Changes in an Immobilized Protein Using Surface Plasmon Resonance, Anal. Chem., 70, 10, May 1998 pp. 2019-2024	
		GESTWICKI et al., Using Receptor Conformational Change to Detect Low Molecular Weight Analytes by Surface Plasmon Resonance, Anal. Chem., 73, 23, Dec. 2001, pp. 5732-5737	
		CATIMEL et al., Kinetic Anal. of the Interaction Between the Monoclonal Antibody A33 and its Colonic Epithelial Antigen by the use of an Optical Biosensor, J. Chroma., 776, 1, July 1997, pp. 15-30	
		TOLOSA et al., Glucose Sensor for Low-cost Lifetime-Based Sensing Using a Genetically Engineered Protein, Anal. Biochem., 267, 1, Feb. 1999, pp. 114-120	
		SIGAL et al., Self-Assembled Monolayer for the Binding and Study of Histidine-Tagged Proteins by Surface Plasmon Resonance, Anal. Chem., 68, 3, 1996, pp. 490-497	
		TURKOVA, Oriented Immobilization of Biologically Active Proteins as a tool for Revealing Protein Interactions and Function, J. Chroma. 722, 1-2, Feb. 1999, pp. 11-31	
		Supplementary European Search Report, EP 03 70 0679, dated 5 July 2005	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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